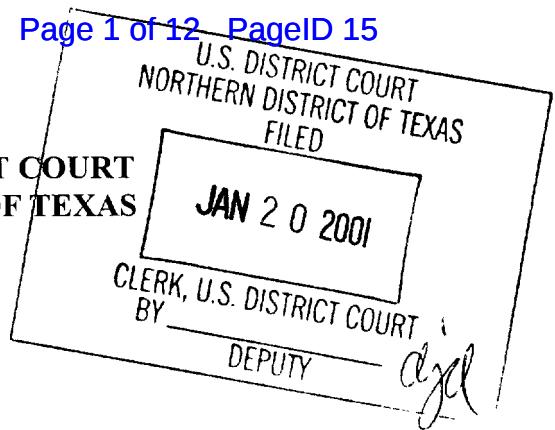


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



KEITH B. BURKINS, #1013686,)
Plaintiff,)
v.)
ROGER A. RUDLOFF, et al.,)
Defendants.)

3:00-CV-2377-M

MAGISTRATE JUDGE'S QUESTIONNAIRE TO PLAINTIFF

TO: Keith B. Burkins
#1013686
TDCJ
Gurney Unit
P.O. Box 6400
Tennessee Colony, TX 75861

DIRECTIONS: Plaintiff shall answer each of the following questions in the space provided for his answer. The answers to these questions shall be verified under penalty of perjury by Plaintiff on the signature line at the conclusion of these questions and returned to the United States Magistrate Judge within thirty (30) days from the date upon which Plaintiff receives the questions.

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QUESTION NO. 1: Identify all convictions upon which you are presently confined in the Texas Department of Criminal Justice – Institutional Division by providing the following information for each conviction: (1) the docket number, (2) the offense, (3) the court that sentenced you, (4) the date of sentence, and (5) the length of sentence.

ANSWER:

QUESTION NO. 2: Describe in detail every statement, gesture and act that occurred on the night of November 17, 1999, from the time when you were driving in the 2300 block of Martin Luther King Blvd. until Officer Roger A. Rudloff arrested you. Be sure to describe the beating that occurred and identify by name each person who spoke, gestured or acted.

ANSWER:

QUESTION NO. 3: Identify the charge(s) for which Officer Rudloff arrested you on November 17, 1999.

ANSWER:

QUESTION NO. 4: Do you claim that the conduct of Officer Rudloff during the beating was negligent or do you claim that his conduct was deliberate/intentional?

ANSWER:

If you claim that the conduct of Officer Rudloff was negligent, do not answer Question 5.

If you claim that the conduct of Officer Rudloff was deliberate or intentional, continue by answering Question 5.

QUESTION NO. 5: State all facts known to you on which you rely to establish that Officer Rudloff acted deliberately or intentionally during the beating.

ANSWER:

QUESTION NO. 6: Describe using specific facts the manner in which you were injured, if any, because of the beating by Officer Rudloff on the night of November 17, 1999.

ANSWER:

QUESTION NO. 7: If you received medical care as a result of the injury or injuries, if any, identified in answer to Question 6, state the name of the medical care personnel who treated you, the treatment rendered and any diagnosis you received.

ANSWER:

QUESTION NO. 8: Have you recovered from any physical injuries sustained on November 17, 1999? If your answer is "no," identify all injuries from which you are still suffering and state every opinion that you have received from a medical care provider as to when you should fully recover and the name of each provider who has rendered an opinion.

ANSWER:

QUESTION NO. 9: Have you named Terrell Bolton as a defendant (1) because of his title as the Chief of Police for the City of Dallas or (2) because of some act or omission in which he personally participated with respect to the events identified in your complaint?

ANSWER:

If your answer to Question 9 is that Terrell Bolton is named as a defendant because he is the Chief of Police for the City of Dallas, do not answer Questions 10-11, but proceed to Question 12. If your answer to Question 9 is that Defendant Bolton was personally involved in the events identified in the complaint, answer Questions 10-11.

QUESTION NO. 10: Identify each act or omission on the part of Defendant Bolton that you claim establishes that he personally participated in or authorized others to act or fail to act with respect to the claims alleged in your complaint.

ANSWER:

QUESTION NO. 11: For each act or omission identified in answer to Question 10 state all facts and identify all persons with knowledge, presently known to you, which show that such action or omission was done personally by Defendant Bolton or was done with his knowledge and at his direction.

ANSWER:

QUESTION NO. 12: Do you claim that Chief of Police Bolton implemented unconstitutional policies that causally resulted in the denial of the public records you requested?

ANSWER:

If your answer is “Yes,” continue by answering Questions 13 & 14. If your answer is “No,” go to the end of the questionnaire, sign your name and enter the date.

QUESTION NO. 13: Identify each custom or policy of the Dallas Police Department which you claim caused the denial of the public records you requested.

ANSWER:

QUESTION NO. 14: For each custom or policy identified in answer to Question 13, state all facts known to you on which you rely to establish the existence of each such custom or policy.

ANSWER:

ISSUED this 20th day of January, 2001.

W.M. F. Baudersen Jr.
UNITED STATES MAGISTRATE JUDGE

VERIFICATION

STATE OF TEXAS)
)
COUNTY OF _____)

I understand that a false statement or answer to any question in this cause of action will subject me to penalties for perjury. I hereby declare (or certify, verify or state), under penalty of perjury, that the foregoing answers are true and correct. (28 U.S.C. § 1746).

SIGNED on this _____ day of _____, 2001.

Plaintiff